

Preah Vihear and the Politics of Indigenous Heritage in Thailand

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Statement of Positionality

Before beginning, it is important to acknowledge my positionality as a non-Indigenous Thai researcher, exploring issues impacting Indigenous communities within Thailand. This research would not have been possible without the support of the Kui community in Surin, who graciously shared their knowledge and experiences with me during my fieldwork there between 2018–2021. While not possible to name them all, I am particularly grateful to Boonma Saendee, Dr. Sanong Suksaweang, Sunthorn and Supatra Soonsok, the late Phra Khru Upthamworakul, Phra Khru Dr. Samuhan, Dui Salangam, Surawit Siripharitsakon, Saipha Salangam, Apinan Salangam, Ta and Ba On Salangam, Hern Jongjainan and Da Oh, to name but a few.

Introduction

Indigenous communities face greater barriers than other heritage communities regarding the recognition of their identity and culture, simply by virtue of the label ‘Indigenous’. This chapter examines one of these barriers – the politicisation of Indigenous identity that occurs at the local community, national, and international scales – and the consequences this has in terms of expressions of Indigenous heritage and its management. This issue will be explored in three key ways: firstly, by considering how both identification as Indigenous, as well as the erasure of

Indigenous existence, can contribute to defining that community's position within a national society as well as at the international level. The second aspect examines how rights to express and define cultural identity are controlled at the State level – through this recognition or disregard of Indigenous existence – and the consequences this has on the management and preservation of Indigenous cultural heritage. This includes the further marginalisation of Indigenous communities by the promotion of State agendas over local community values and their ties to heritage. Finally, while being perceived as Indigenous can and does carry negative consequences, this chapter explores how this identity may also be mobilised by the Indigenous communities themselves, to gain or reclaim political power. Similarly, even though the Thai State does not formally recognise these Indigenous communities, it selectively 'labels' them as such through a heritagisation process, to appeal to the international community. In this way, Indigeneity becomes a 'label', wherein Indigeneity and Indigenous heritage is commodified and categorised.

This discourse of Indigeneity takes place against the background of the 'politics of recognition', a concept that relates to the implications of acknowledging or ignoring a community and their culture, is an essential consideration. For Fraser (2000), groups that are invisible, excluded, and marginalised, suffer from 'misrecognition', which is embedded in institutionalised patterns. Redressing these harms of misrecognition does not end at achieving recognition and acknowledging a community's self-defined identity, but rather, recognition should further accompany a redistribution of resources and rights, to empower misrecognised groups and allow them to be seen as equitable partners within society (Fraser 2000). Fraser's interpretation of the politics of recognition, however, ignores the role of the state, and of the colonial state in

particular, in contributing to this issue (Smith 2021). Recent academic works that have considered the politics of recognition within a colonial framework and through the lens of Indigenous heritage have primarily focused on national contexts where Indigenous presence is recognised but the entitlements associated with Indigenous identity remain contested. Consequently, most of the research within the field of Heritage Studies surrounding this issue comes from settler colonial states like Australia, Canada, and the United States, with some attention also given to other contexts such as Scandinavia, New Zealand, Central, and South America. While important, this is both problematic and limiting because it allows for a generalisation of the Indigenous experience based off very specific cultural, geographical, and historic contexts. The politicisation of Indigeneity in the Thai context – as discussed in this chapter – presents a counterpoint to this existing body of work, as the Thai Indigenous experience is distinctive for several reasons. Like these other regions, the political context of Thailand’s state formation heavily influenced the nation’s relationship with its Indigenous communities. In Thailand’s case, however, the denial of the nation’s own colonial experience as well as a self-conscious invention of the Thai national identity through the post-colonial state-making process are important differentiating features. The lingering traumas of the colonial encounter produced a national policy of assimilation and a myth of ‘Thai’ cultural unity, where Indigenous presence was not recognised since the very existence of Indigenous peoples was seen as a threat to this image of social cohesion.

The politics of Indigenous heritage from a Thai perspective is presented in this chapter through a case study from Thailand’s Northeastern *Isaan* region. This begins with an archetypal example of the relationship between heritage and politics – the Preah Vihear temple on the

Thai/Cambodian border. Many scholars have written about the politics of this site, interrogating the nationalistic struggle between the two countries over claims to the temple through both the historic drawing of the formal Thai/Cambodian land border as well as the more recent recognition of ownership via UNESCO listing (see, for example, Winter 2010; Silverman 2011; Pawakapan 2013; Singhaputargun 2015; Meskell 2016; Grabowsky and Deth 2018; and Hauser-Schäublin 2020). Heritage Studies as an academic field has seen a major shift in discourse over time to emphasise the role of communities (e.g., Waterton and Smith 2010; Jones 2017; Apaydin 2018). This change is mirrored in our global institutions of heritage management such as UNESCO, which, for example, highlights a need for community involvement in its Operational Directives. While undoubtedly a welcome change, this move has not been able to fully resolve tensions that still exist between nations and local communities. In the case of the Preah Vihear temple, despite this more encompassing view of heritage, the overarching and highly visible international dispute has remained the primary focus of research and discussion concerning this site. Such approaches have come at the cost of overlooking the local politics of the temple, and the political impacts of site management on the Indigenous and minority communities who, prior to this larger clash between the Thai and Cambodian nation states, had claimed this temple as their own.

These untold narratives of the Preah Vihear temple at the community-level within Thailand are examined, focusing specifically on the story of this temple from the perspective of the Indigenous Kui people living on the Thai side of the modern border. In addition to being excluded from discussions about the site's ownership, the escalating political tensions over Preah Vihear temple had a significant impact on the Indigenous Kui people in Thailand, as the resultant

border dispute ultimately provided the conditions that culminated in the ending of the centuries-long Kui tradition of capturing elephants from the wild. For many Indigenous communities within Thailand, including the Kui, ideas of loyalty to the nation state and the restriction of modern geographic borders, were abruptly imposed with no consultation, ignoring local Indigenous ontologies and historic relationships to the land. Therefore, the enforcement of borders and the application of nationalistic-based heritage management programmes have considerable implications for the Kui communities and their heritage.

Labelling and Defining Indigeneity and Difference in Thailand

The term ‘Indigenous’ and, by extension, ‘Indigenous heritage’, is itself inherently political since a person only becomes Indigenous when introduced to someone who is not. Historically, this introduction has typically entailed a loss of land, and often (but, as will be discussed, not always) originates due to the violence of colonialism. ‘Indigenous’, in denoting an original inhabitant of an area, implies a sense of their ownership of that territory. This attribution of ownership, as well as the recognition of such, figures heavily in state-sponsored attempts to oppress and destroy Indigenous peoples and cultures. Such attempts ultimately try to sever this tie between the community and their land. Agendas of Indigenous erasure can be overtly violent, as is the case with genocidal violence, or more subtle, through longer processes of assimilation, invisibility, and misrecognition, as can be seen in Thailand.

To understand this process of assimilation and the Thai State’s reluctance to acknowledge Indigenous existence within the country, it is necessary to contextualise contemporary attitudes

towards Indigenous communities (and their heritage) within Thailand's history and nation-building process. There are two periods within Thai history that are fundamental to such understanding – the 'Colonial Period' and the Cold War – for it was during these pivotal moments that Thai values relating to difference, community, and national identity, were formed.

The (Post-)Colonial Period

It is impossible, within the scope of this chapter, to go into the necessary detail to adequately address Thailand's full experience of colonialism (for more in-depth treatment of the subject see Winichakul 1997; Shoocongdej 2008; Jackson and Harrison 2011). For the purposes of this background, however, it is important to understand two things: firstly, although Thailand is often described as 'never having been colonised', there is a more nuanced history of colonial influence and encounter to be explored. Secondly, although Thailand likes to describe itself as 'always having been Thai', this is also a statement that should be interrogated. It was, in fact, during the region's period of colonialism, intensifying around the 19th and 20th centuries, that the Thai communal identity was first created, and where ideas centred around loyalty to the state, and the division of society via race, ethnicity, and difference, first emerged in their modern forms.

By the time Laos was made a French protectorate in 1893, all lands bordering Thailand – or, Siam, as it was then known – had been colonised by either the British or French. Throughout this time, the Siamese rulers continued to maintain formal control of their country, and therefore the Kingdom of Siam was never officially recognised as a colonised state. Nonetheless, decisions by the Siamese rulers were not made freely. Under the looming threat of colonisation, Siam was

forced to make great concessions to both Britain and France in terms of land, trade, and consequently, power. France's annexation of Laos from Siam in 1893, thirty years after the French colonisation of Cambodia, was a crucial point in this history for the Siamese kingdom (see Streckfuss 1993; Winichakul 1997). The population of Siam at the time was composed of multiple groups, among them the Laotians and Cambodians. The French used this diversity to argue that any part of Siam occupied by citizens of nations colonised by the French should belong to France (Edwards 2001). In response, the Siamese in turn began to engage with this colonial discourse of racial politics. Realising that to refute the French claim and secure its borders, Siam's population had to maintain a perception of unity, almost overnight, everyone living within the country's borders was branded with a new ethnic identity – the 'Tai', eventually becoming 'Thai' national identity as we know it today (Edwards 2001). Through this process, what began simply as a means of maintaining territorial integrity and national autonomy, soon evolved into something more. Policies of assimilation and the suppression of identification with a label other than 'Thai' became enshrined into state policy and legislation. Siam, renamed 'Thailand' in 1932, became a country that had belonged to the 'Thai' people from time immemorial. Thailand, within this narrative, was also a country that had never been colonised, and which had maintained dominance in the face of European threat. Gradually, this notion also worked its way into national historiography. The ethnic separation of Siam by the colonial powers also prompted another major change in the country's ethnic discourse: for the first time, Siam began to perceive difference as a threat to national security. In this, Siam was not alone; Anderson (1998:328), for example, points to colonialism as the central instigator for the advent of ethnic politics within Southeast Asia more broadly. Within Siam itself, Thai historian, Srisak Vallibhodama (2008), describes the colonial division of Siam as a "time bomb" set by the

colonists, as prior to this intervention, those living within Siam had not viewed ethnic difference as an inherent and universal negative, and held far less rigid conceptions of social and geographic boundaries. Importantly, as the brand-new concept of ‘Thai-ness’ had no prior or clear unifying meaning, what it meant to be ‘Thai’ was instead defined by what was *not* ‘Thai’ – in opposition to other groups or traits. In the years following this colonial experience, a more formalised understanding of proper codes of conduct for dutiful Thai citizens emerged, centered around the idea of the ‘three pillars of Thainess’, which were developed under the reign of King Rama VI (1910–1925): nation (expressed primarily through speaking the Thai language), religion (adherence to Buddhism), and monarchy (loyalty to the King and royal family).

For Indigenous communities, the imposition of ‘Thai-ness’ meant that expressions of their (non-Thai) identities were discouraged. In some cases, displays of ethnic and cultural difference were criminalised. The 1913 Surname Act, for example, mandated that “all family names must have a meaning in the Thai language”; eliminating not only last names with origins in other language stems, but also traditions within some communities where specific surnames contained deep cultural significance. In 1939, the leader of the country at the time, Field Marshal Phibunsongkhram, issued a series of cultural mandates, which further regulated this idea of ‘Thai-ness’. The first and third mandates are of particular relevance here. The first mandate changed the country’s name from Siam to ‘Thailand’ – overtly labelling it a land of Thai people. Meanwhile, Phibunsongkhram’s third mandate dictated that all citizens should “stop using names that do not follow the name of the nationality or accord with the preference of the group,” and to “call all people ‘Thai’ without separating them [into groups]” (Royal Gazette 1939, 1281). This made identification as Indigenous – or with any ethnic label other than Thai – illegal. To this

day, there is no official demographic data on the ethnic and racial composition of the country, as the national census records all citizens as ‘Thai’. Estimates of Indigenous groups in the country therefore include: 20 groups and 1 million people (World Directory of Indigenous Peoples 2017), 42 groups and over 4 million people (Council of Indigenous Peoples of Thailand 2019), or 600,000 – 1.2 million people (Network of Indigenous Peoples in Thailand 2016). Despite this, the Thai government only ‘officially’ recognises ten ‘non-Thai’ ethnic groups in the country, all of whom are classed under the label of ‘hill tribes’ (*chao khao*), living in the North and West of Thailand – the Akha, Hmong, H’tin, Karen, Khmer, Lahu, Lisu, Lua, Mien and Mlabri (Coalition on Racial Discrimination Watch 2012, 2).

The Cold War Period (1947–1991)

The ideas and values that had emerged in earnest during the nation’s colonial encounters were later perpetuated and concretised by the Thai government during the Cold War, as the State began to implement policies that directly targeted minority and Indigenous communities within its borders. At this time, the Communist Party of Thailand (CPT) was waging an armed insurgency against the Thai government and was looking to recruit members. Communities living on the nation’s borders, distanced from the cultural centre of Bangkok both geographically and ideologically, were thought to be at highest risk of siding with the CPT and were therefore seen as the greatest threats to the security of the nation (Vaddhanaphuti 2005). These suspicions helped cement the fear of difference that had been building within Thai society since the colonial period, while the atmosphere of the Cold War directed this fear towards the Indigenous communities who occupied the borderlands of the country. Thus, communism – and the

Indigenous and ethnic minority communities associated with it – became another ‘other’ to be feared, in opposition to ‘Thai-ness’. The threat of losing land and governance to the Communist insurgents might be seen as an unwanted reminder of Siam’s earlier struggle to maintain independence from the European colonists, recalling this previous fear of loss of territory and autonomy and further undermining the State’s claims to total control and ownership over the land and its people.

It was also over the course of this Cold War period that Thailand began to form the image of its national heritage and of its past. Given that the ‘Thai’ people were an invented ethnicity/identity, it followed that an entire ‘Thai’ cultural background also needed to be invented. Under the command of Field Marshal Sarit Thanarat (1958–1963), the Thai governmental regime established itself as the leader of a national cultural renaissance; hosting events that carefully curated an image of Thailand (and by proxy, the regime) as “stable and timeless” (Phillips 2016, 146). During this time, a select number of festivals and ceremonies were chosen to become representative of Thai culture and Thai people, regardless of their actual historic and cultural origins. These traditions were selected to represent the three pillars of Thainess.

The Role of Heritage in the Formation of Thai Social Memory: Controlling Identity and Expressions of Culture

The pattern of these three pillars – nation, religion, and monarchy – is also evident in the national built heritage record, which utilises the concept of ‘Social Memory’ by affording overwhelming privilege to Buddhist temples and royal architecture, to the detriment of vernacular heritage.

‘Social Memory’ is a concept emerging from the discipline of History, which asks how collective groups of people come to see themselves as connected and integrated members of the same community (see Climo and Cattell 2002; Winter 2004; Cubitt 2013). Heritage plays a central role in the construction of these social and national memories. Tangible heritage sites and the official narratives surrounding them can be used to legitimise regimes and national historiography, justifying behaviour/actions (McDowell 2008). Conversely, heritage can also be used to disrupt this formation of social memory by serving as a reminder of a different past, culture, and experience. However, while built heritage sites can be dismantled, left to decay, or have their narratives rewritten in an attempt to alter social memory, intangible heritage is a more elusive threat and harder to destroy as it lives within the minds and experiences of people.

In the Thai case, the government’s focus on promoting a unified Thai culture resulted in the suppression of expressions of ethnic and cultural difference, as these displays of ‘non-Thai’ traditions and practices could challenge the collective memory reinforced by the official narrative of Thailand as a monolithic culture. This perceived threat to social memory informs Thailand’s attitudes towards Indigenous peoples within the country. As a signatory to the United Nations Declaration on the Rights of Indigenous Peoples, the Thai government recognises the rights of Indigenous communities have in the abstract, as well as in the context of other nations. The problem, however, is the State’s failure to formally acknowledge the existence of Indigenous communities within Thailand itself – thereby not only denying these communities access to the rights agreed to in the Declaration, but also delegitimising Indigenous histories, cultures, and identities. Instead, the government uses language such as *chon klum noi* (‘minority groups’), *klum chattiphan* (‘ethnic groups’) or *chao khao* (‘hill tribe’) to speak around the issue

of Indigeneity. Nietschmann (1994) raises the point that such terms, which derive from government itself rather than the communities in question, presuppose a state-derived relationship between Indigenous peoples and the land, which positions these Indigenous communities as the minority, and the land as belonging to the nation. Moreover, these terms undermine the greater meanings behind 'Indigeneity' as they pertain to rights to land and original settlement, rather than simply defining a cultural and ethnic identity distinctive from the 'majority'.

The unwillingness to use the term 'Indigenous' is also situated within prevailing views on Indigeneity in the region of Asia more broadly, where many countries hold to the 'saltwater theory'. This theory views Indigeneity as only applicable in instances of European colonisation, or the invasion of countries such as America and Australia, for example, under which circumstances all pre-colonial and pre-invasion populations are considered Indigenous. However, this reasoning ignores the marginalisation of the nation's Indigenous communities by the rulers of Siam themselves that occurred as part of the nation's attempts to avoid colonisation, and further disregards the territorial losses experienced by these communities as part of the state-making process. Actions taken by the Thai state during and after the region's colonial period have accordingly been described as 'auto-colonial' (Tejapira 2001), 'semicolonial' (Jackson 2018), or 'crypto-colonial' (Herzfeld 2012).

Preah Vihear: (Inter)National Implications and Impacts on Kui Culture

Just as the very existence of Indigenous people in Thailand threatens the carefully constructed Thai collective memory of heritage, so too does Preah Vihear, an ancient Khmer temple that sits on the Cambodian side of the border with Thailand. Preah Vihear, once situated within Siam, was ceded to Cambodia's French colonists in 1907 in a redrawing of national boundaries as part of a treaty between the two nations. Consequently, it remains a tangible reminder of Thailand's losses to colonialism. Since that time, Thailand's struggle against the French colonists has been re-enacted through subsequent conflicts with Cambodia over claims to the temple, as the border remains a heated point of contention between the two countries.

In 1904, as part of the Franco-Siamese Treaty, Siam ceded territory south of the Dânggrêk mountain range to the French. This agreement left the Preah Vihear temple firmly within Siamese territory. In 1907, however, another boundary treaty between Siam and France was signed. Maps produced by French topographical officers tasked with marking this new national boundary placed the Preah Vihear temple on the Cambodian side. Although this border did not follow the natural watershed line as agreed to by Siam, contention over this map was not raised until almost half a century later. In 1954, in the wake of Cambodian Independence from the French, Thai troops were sent to the temple grounds and raised a Thai flag at the site, taking up occupation within the borderline delimited by the natural watershed. Following this issue being brought to the International Court of Justice, a verdict was reached in 1962, whereupon the court ruled that Preah Vihear was, indeed, Cambodian, and ordered Thailand to remove its troops. In 2008, these border tensions were reignited by Cambodia's nomination of Preah Vihear as World Heritage, and UNESCO's subsequent acceptance of the bid – an aspect of the site's political history that has been widely written about (e.g., Hauser-Schäublin 2011; Silverman 2011;

Grabowski and Deth 2016; Meskell 2016). For Thailand, what began as a political conflict over boundaries, resulting in the loss of Siamese territory to colonists, had transformed into a battle over rightful claims to the Preah Vihear temple, which stood as a clear symbol of that loss. If Thailand were to recover the temple, then it could control the narrative that the country had never been colonised. The reclamation of the temple from Cambodia would thereby be a symbolic re-envisioning of Thailand's initial loss to the French. During this dispute, any prior connections to Preah Vihear that were held by local communities – in particular, the Kui and Khmer – and which exemplified 'non-Thai' intangible traditions and practices, were ignored so that the temple remained a Thai national symbol. Ironically, in the past, Preah Vihear was a site of pilgrimage – bringing together groups of people regardless of national affiliation, due to its shared and unifying religious purpose. The traditional entry to the temple complex lies on the Thai side of the border and opens out into Cambodia. Sitting atop the Dângrêk mountains, the temple complex also served as a passageway between communities living on either side of this natural barrier (Songsiri 2008). Once a site that rose above the concept of a border, it became the central game piece in a battle over state boundaries. Today, the temple has become representative of the separation of communities. The site itself, outside of this context, simply a construction of stone, is apolitical. It is through its interactions with people, and how the site is presented, co-opted, and managed as embodying a specific history and heritage, that imbues it with its political potency and influence.

The impact of the Preah Vihear dispute more locally, especially on the Indigenous and ethnic minority communities that had previously crossed both sides of the border freely, and whose identities transcended national Thai or Cambodian affiliations, has been largely overshadowed

by the wider nationalistic debate. While both the Kui and Khmer communities were affected, this chapter chooses to focus on the Kui narrative, as they experienced longer-lasting consequences in terms of cultural loss and are also less widely discussed in general literature on Indigenous communities in Thailand. Etienne Aymonier (1897, 46), a French explorer studying Cambodian and Khmer influence in Siam, wrote in 1897 that the Preah Vihear ruins continued to serve as a “place of pilgrimage” for the local community in Koukhan (now part of Sisaket Province in Thailand) – comprised of Indigenous Kui and Khmer – to celebrate their New Year. Seidenfaden (1952:146), a Danish anthropologist, also posits that Preah Vihear “was most probably built by Kui corvée labor” under the control of the Khmer. Because of this historic connection, the temple continues to be important to the Kui living in both Thailand and Cambodia today and was selected as the location to mark the 2020 ‘Kui Day of the World’ celebrations organised by the Thai and Cambodian Kui communities (although this was ultimately unable to occur due to Covid-19). Inscriptions found at the site describing a “Black rebellion” have resulted in speculation that the local community at Preah Vihear was Kui, due to historic characterisations of that community as having ‘dark skin’ as well as their ties to capturing elephants – a point also alluded to in these inscriptions through reference to a figure known for his skill in elephant-back warfare, Prince Jayavardhana (Office of Archaeology, Fine Arts Department and ICOMOS Thailand 2008, 14). The Kui community in Thailand’s own historic narratives claim this temple as their own. As such, Preah Vihear was, and continues to be, important to the Kui (and Khmer in Thailand). These ties to the site, however, were either overlooked entirely or reduced to one-sentence afterthoughts in official documents surrounding the temple and national contestations over its ownership, demonstrating that the connection the Kui community have to the site was important to Thailand and Cambodia only insofar as it benefitted their own agendas. For

Thailand, this came in the Thai ICOMOS rebuttal to the UNESCO listing – which presented the Kui as the local people of the Preah Vihear area – as well as in their arguments to the ICJ (although in the ICJ documents, the Kui were never mentioned by name and were instead referenced only tangentially, through their tradition of capturing elephants). It is also interesting to note that within the rebuttal by ICOMOS Thailand, the Kui are referred to as “native ancient communities” (2008, 17), alluding to their Indigeneity to legitimise the Thai claim to the temple, while still not officially acknowledging them as Indigenous outside of this context. Meanwhile for Cambodia, the Kui’s history at the site formed part of the UNESCO management plan – notably, however, ignoring the Kui living on the Thai side of the border, who shared this history and had previously travelled between the two countries unimpeded. Prior to all of this, the temple had minimal significance on the national scale, important only to those living around it. In fact, one document mentioned as part of the ICJ proceedings described the Siamese Prince, Sanphasit, as having only recently “re-discovered” the temple in 1899 (ICJ 1962, 23). This re-discovery and politicisation of the site, while simultaneously widening the audience through its positioning as a national symbol (on both sides), also removed the temple from local access and ideological ownership. It was in my very first interview with a member of the Kui community that the issue of the Preah Vihear dispute was raised. As Dr. Sanong Suksaweang told me, because of this conflict, “the land that belonged to the Kui is now in Cambodia”.

One of the most significant impacts of colonialism in Thailand was the artificial replacement of pre-existing ethnic and cultural affiliations and identities with loyalty to the nation state. This same ideology played out through the national and international appropriation of the temple of Preah Vihear. However, one key discourse that was overlooked in favour of the international

conflict was the indirect impact these Thai-Cambodian tensions had on the Kui community living in the Thai border province of Surin. The most pivotal moments in the torrid history of the Preah Vihear temple for the Indigenous Kui community in the region, occurred between 1958 and 1961, when escalating tensions between Thailand and Cambodia ultimately resulted in a permanent closure of the border and consequently, traditional activities central to Kui heritage, including the capture of wild elephants, were heavily curtailed.

Local Consequences of Ignoring Indigenous Existence: The Endangerment of Kui Elephant Heritage in Thailand

The Kui in Thailand, who live in provinces along the Dângrêk Mountain Range, which runs along the border with Cambodia, have a centuries-long tradition of capturing elephants from the wild. Their traditional elephant-tracking routes took them from their villages and into the mountains. This path was disrupted in 1958, when the Thai government temporarily closed their border with Cambodia after diplomatic relations between the two countries fell apart. This relationship broke off again in 1961, once more accompanied by a border closure. The first closure temporarily halted the use of this traditional route, bringing the elephant catching practice to a momentary pause, however it was the second, more permanent border closure that escalated the end of the elephant capture tradition. Prior to this point, borders had primarily been the concern of the rulers, engaging in petty games of State politics; they existed in the minds of nations, but were not the concern of the people on the ground going about their daily lives. After all, to local peoples, the border was not a physical construction, but an intangible one. The dispute over the border and claims to the Preah Vihear temple prior to this point had little

functional impact on those living in the region. In 1958, however, the border suddenly became a more concrete concept and although no physical barrier was constructed, the boundary was nonetheless patrolled by soldiers and enforced. For the first time, this border began to have a real, tangible impact on the daily lives and cultural practices of the local communities in the area.

Even though that border was officially closed, some *hmor chang* continued to sneak across it, with one of the *hmor chang* I interviewed claiming to have captured elephants in Cambodia well into the 1970s. However, it was often difficult to access the Dângrêk mountain path, due to raging internal political conflicts within Cambodia. This mountainous region along the border was a favourite hiding spot for Cambodian soldiers and militia, with Kui *hmor chang* in Surin recounting occasionally violent encounters of *hmor chang* and their elephants being fired upon by such groups including the Khmer Issarak – an anti-colonial independence movement active between 1945 and 1954, the Khmer Serei – an anti-communist group from the 1950s and 1960s, and even the Khmer Rouge beginning in the 1970s. Da Oh, one of the older *hmor chang* that I interviewed, for example, recounted having to hide from soldiers as he tried to cross the border on one of his elephant catching trips. As tracking elephants required the *hmor chang* to be on elephant-back themselves, it also was not easy for them to pass by border patrols undetected.

As well as the elephant-tracking route into Cambodia, there was a second traditional path that the Kui elephant catchers – the *hmor chang* – would follow, that stayed within the boundaries of the new Thai state. This took them some 400 kilometers away to Loei, a province in the North of Thailand, but was only ever a second preference to the route in Cambodia. Loei was a less than ideal elephant capturing ground for several reasons: firstly, while the Cambodian officials

allowed the Kui to capture as many elephants as they wanted for a single permit price of 20 baht (the equivalent to roughly 268 baht today, or £6.33), the Loei Provincial Governor restricted the Kui to capturing only three elephants at a time (Srisawat 1990). The negotiations for these permits in Loei were also more difficult, with the Kui often having to resort to bribes, which made the cost of acquiring permits significantly higher (Srisawat 1990). Aside from this political difficulty, the mountainous terrain and thick forest of Loei were also not ideal conditions for finding and capturing the more sparsely populated elephants and the journey to this province was also twice as far as the route that took the *hmor chang* into the Dângrêk mountains (Srisawat 1990). Thus, the uptake of the elephant-catching practice ultimately dwindled and came to an end largely due to inconvenience. While the closing of the Thai–Cambodian border did not result in the immediate end to Kui elephant captures, the Thai government’s historical failure to consider and protect the cultural heritages of Indigenous groups in the area, facilitated its decline.

Where the formation of the new Thai state had resulted in a social and ideological separation of the ‘non-Thai’ Kui from the ‘Thai’ community, the closure of the land border with Cambodia now cut the Kui off geographically from a space they had once freely moved across and which they had claimed for their own use for centuries. The drawing of national borders also brought about a fragmentation of the Kui communities across Southeast Asia, which resulted in divergent cultural trajectories within each separate national context, where today even the Kui language is no longer the same across Kui groups living in different countries. It also produced a loss of intangible cultural heritage at varying rates, with the Thai Kui being the last stronghold of Kui elephant culture amongst the remaining Kui communities across Thailand, Laos, Cambodia, and Vietnam.

This Kui elephant culture was clearly different to that officially promoted by the Thai State and furthermore directly contradicted the State's ideology and policies of assimilation. Consequently, any efforts to conserve this aspect of culture were mostly disregarded by the State and left in the hands of the Kui community. Powerless against the wider issue of access to elephants in Cambodia and the formal banning of wild elephant captures in Thailand in 1992, the Kui instead were forced to adapt their traditions. Today, while the elephant captures of the past no longer exist, the Kui re-enact this practice on baby elephants, based on the belief that all elephants are born with a wild spirit attached and so even those elephants born into domesticity are considered wild until this spirit is removed. As *hmor chang*, Saipha Salangam, noted: "we need to adjust today, to use baby elephants. But we still perform old customs to preserve them when the older generation dies." This, however, has resulted in issues relating to a perception of authenticity within the Kui community, as those of the older generation who were able to participate in the wild elephant captures of the past do not view this modern adaptation as an acceptable substitute. Boonma Saendee, the highest ranked *hmor chang* in Surin, for example, told me "there are no more real *hmor chang*, you cannot be a real *hmor chang* unless you catch elephants." This is a view held not only by those in the older generation, but by some of the new *hmor chang* themselves. One of the younger *hmor chang*, Sunthorn Soonsok, echoed Boonma's feelings, saying that "only real *hmor chang* have gone into the forest to capture elephants, that generation will soon be lost." Even those outside the Kui community perceive this loss of authenticity and refer to the older generation as the 'last *hmor chang*'. The Thai government's stance today is that they will not intervene to document or conserve any heritage that conflicts with national legislation.

Responding to Endangerment: Mobilising Indigeneity and Commodifying Culture for National Consumption

Since 'Indigeneity' as a concept is not formally recognised by the Thai State, there also are no formal protections for Indigenous culture and heritage (as well as of Indigenous rights more

broadly) within the country. While the Kui have begun to adapt their tradition to use baby elephants, they are still faced with the financial struggles of owning and caring for elephants in a society that no longer has a use for the animals for fighting wars or as beasts of burden. Consequently, the Kui were left with the ‘choice’ of allowing their elephant-related heritage to cease altogether, or to commodify it in order to transform this Kui heritage into something more recognisable and adoptable by the wider Thai society; thereby making it worthy of preservation as part of the national heritage. This process of heritagisation – or ‘folklorisation’ (as per Denes 2015) – is a means of reducing Indigenous culture to its most ‘palatable’ elements as determined by State values and the Thai ‘Authorised Heritage Discourse’ (see Smith 2006). Moreover, it renders the Indigenous heritage familiar and non-threatening to both the national identity and the perceived sense of social cohesion afforded by the uniform concept of ‘Thai culture’. The commodification of Kui heritage was largely instigated from within the community itself, appealing to the government, who then took control over the heritage narrative. Nonetheless, this should still be considered a bottom-up measure instigated for survival at the local level and borne out of a sense of urgency. While this process of heritagisation has ensured that aspects of Kui heritage have been able to continue, the State’s involvement in this process has also resulted in the elevation of elephants – the familiar national symbols – rather than Kui themselves, with whom only a small percentage of the country are able to identify.

This heritagisation of Kui culture mainly centres around the Kui village of Ban Taklang in the north of Surin province. According to some of the older villagers I have spoken with, the Kui first settled in Taklang village “no less than 100 years ago.” By 1987, however, Ban Taklang had been dubbed the ‘Elephant Village’ by the Surin Provincial Government (Chinnak 1998, 113); a

label that has slowly come to replace the village's original name, even used in place of Ban Taklang on road signs. This is a very clear example of heritagisation through the removal of the village's traditional name, in favour of one that is more marketable, and further clarifies that the heritage product that is on offer is elephants, not the Kui. The Elephant Village features a small stadium where twice-daily elephant shows are performed. While the signs out front suggest the show is an opportunity to highlight Kui traditions and culture as it relates to elephants, the performance itself, which includes a live commentary, never mentions the Kui. Moreover, the elephants do not enact any of the more 'traditional' Kui practices but instead perform tricks like hula hooping, playing football, and throwing darts. Further inside is a small museum, featuring an elephant skeleton in the middle of the room, surrounded by panels of information about the Kui people, their customs, and history, as well as a general history of elephants and their role in Thai culture. Also displayed are several important Kui cultural items that relate to their elephant catching practices, including a *Pakam* rope. The museum and the panels inside provide a stark juxtaposition to the absence of any mention of the Kui in the elephant show that takes place just a few feet away. However, while the information in the museum is informative, it is also worth noting anecdotally that on my multiple visits to Ban Taklang over the course of 2018–2020, I never saw anyone but myself go inside. While, as Ta Salangam, one of the elephant keepers at Ban Taklang stated, “the whole world knows that this is the biggest elephant village in the world,” he also noted the issue still remains that “people outside of Surin don't know about the Kui.”

The next step in Ban Taklang's heritagisation began in 2000, when plans for a multi-million-baht project entitled 'Elephant World' were first drawn up to create an extension to the 'Elephant

Village’. Although these plans were brought to the local government to review in a 2004 Cabinet meeting, nothing more happened until much later. In 2013, the first intended year of the project, the total proposed operating budget sat at 455 million baht and plans included the building of a museum, creating a farm to grow crops for elephants, and erecting a ‘cultural exhibition ground’ and viewpoint (Surin Provincial Administrative Organisation 2013). The ‘Elephant World’ construction eventually commenced in 2015 and was finally completed in 2020, with the official opening ceremony held on 29 July 2020. The new Elephant World site, spanning an area of 500 rai (80 hectares), has three main features: a 28-meter-high brick observation tower that overlooks the nearby Kui temple of Wat Pa Ajiang on the one side and Ban Taklang on the other, a stadium for elephant performances, and a central museum complex. Tellingly, one of the main pieces of inspiration for this project, as shown on the Surin Provincial Administrative Organisation’s 2013 proposal for the site, was a YouTube video of a parade at Hong Kong Disneyland, pointing to the government’s intentional desire to ‘Disneyfy’ this heritage. While this largescale expansion was a government initiative at the top level, most of the elephant keepers working at Elephant World are Kui and are actively involved in the project as it provides one of the few means of employment for these elephant-owning families. As Ta Salangam told me, “when tourists leave there’s no way to make money.” Nonetheless, it was clear from my visits there and discussions with Kui at the neighbouring temple, that the commercialisation of Kui culture at this site does not sit comfortably within the community.

One promising feature of Elephant World is that it marks the first time that any signage at the site has labelled the Kui as ‘Indigenous’. This is particularly notable as the site and its signposting is run under the purview of the local government. Nevertheless, just as the Thai state

sought to benefit by recognising the Kui as one of Preah Vihear's 'native ancient communities', it appears that the provincial government is now seeking to gain by using the label 'Indigenous' to provide a lure for tourists, who are showing less interest in the animal-based tourism previously used to draw visitors to the site, and a growing interest in cultural experiences. This is also consistent with the shift in national cultural policy to promote Thailand's 'cultural diversity' to keep in line with the international community's own heritage interests. It is further important to note that as the move to call the Kui 'Indigenous' at Elephant World was made by the provincial government, not by the State, this inclusion has come without actually equating to greater rights for Indigenous peoples, and the Kui remain unrecognised as 'Indigenous' by the State itself.

Given the changing State attitudes, however, Indigeneity in Thailand has now begun to be seen as a power more than a threat to the communities in question. Today the Kui not only openly promote their Indigeneity as a means to sustain their heritage, but embracing this label has also given them access to a network of other Indigenous communities within the country all advocating for similar rights and recognition. However, this is a long and ongoing process within the confines of the government's stance of non-recognition and the positive outcomes of this action are yet to be seen. Nevertheless, there is political power in being Indigenous even without the state's acknowledgement because this collective mobilisation also enables these communities to appeal to the international community who are more inclined to recognise Indigeneity and the importance of Indigenous rights.

Conclusion

This chapter has examined the various scales and webs of entanglement that exist between politics and Indigenous heritage in Thailand; a country that does not recognise Indigenous peoples, and whose newly formed national cultural identity – heavily influenced by the country’s colonial experience and founded on the principle of assimilation and cultural unity – enabled the misrecognition of the country’s ethnic minorities. The example of the Preah Vihear temple dispute and its impact on the Kui in Thailand illustrates the damaging consequences of such misrecognition, as Indigenous and local community ties to heritage were ignored in favour of a nationalistic approach to claims of ownership of heritage and the imposition and enforcement of new national borders that developed during the colonial period. The ancient Kui and Khmer cultures who built the Preah Vihear temple and lived in villages surrounding it, were neither Cambodian nor Thai, yet it was modern Cambodian/Thai borders that determined the claim to this historic site and applied new, nationalistic interpretations to these ancient material remains. While the Preah Vihear temple has been declared a part of Cambodia, just across the border in Thailand, temples built during the same era and by the same peoples are considered Thai and have become part of the Thai national heritage imagery. In the same way this built heritage has been divided between then new states as the spoils of this border-drawing process, so too have the communities who had settled on this land. This has created inherent conflicts regarding national ‘claims’ to this heritage, as the imagined communities of the past no longer map with imagined national communities of the present.

While the role of communities has become a more central topic within Heritage Studies, tensions between community and national values persist. The reliance on a model of heritage put forward

by UNESCO and the concept of ‘World Heritage’ has contributed to the prioritisation of national and international agendas, despite more recent efforts by UNESCO to emphasise community engagement. With limited power at this global level, and particularly when their existence is unacknowledged within their specific national contexts, Indigenous communities can be left with little recourse when it comes to protecting and preserving their own heritage and their very identities. Although ‘heritagisation’ is often decried as compromising the integrity and authenticity of heritage – transforming it instead into an easily consumed and commercialised product (see Baz and Jacques 2016; Caust and Vecco 2017), the example of Kui elephant heritage discussed in this work has shown that heritagisation is sometimes the only recourse for cultural survival for communities who are working within the confines of a state that does not value or recognise their heritage.

While communities who are misrecognised often hope to gain recognition by the State through a broadening of State understandings of identity – something that is, for example, advocated for in relation to Indigenous communities in Australia, New Zealand, and North America, for the Kui, given Thailand’s history and continued stance on Indigeneity, recognition was not achieved in this way. Instead, the Kui selectively adapted their own heritage and identity to fit the image of the State. Achieving recognition has therefore also entailed a misrecognition in part, which makes one to question whether this is ‘true recognition’ and further, does this even matter? In one sense, this dual process of heritagisation and (mis)recognition can reduce a culture and identity, however, it can also be a means of empowerment for the community in question. In the long term, the solution lies in achieving Indigenous self-determination beyond the confines of modern national borders. In the short term, however, internally derived heritagisation by

marginalised communities should perhaps be seen as an example of cultural resilience, as these communities seek not only recognition, but cultural survival, in whatever form available.

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